

Davis & Gilbert LLP
MARTIN GARBUS
1740 Broadway
New York, NY 10019
Telephone: (212) 468-4800
Facsimile: (212) 468-4888
Email: mgarbus@dglaw.com

Attorneys for Plaintiff DAVIS & GILBERT LLP

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVIS & GILBERT LLP,

Plaintiff,

vs.

SAMANTHA RONSON,

Defendant.

Index No. 07-cv-11162-JSR

**NOTICE OF DISMISSAL WITHOUT
PREJUDICE OF COMPLAINT (FRCP
RULE 41(a)(1))**

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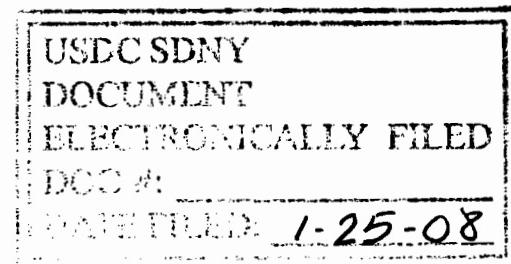
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TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff DAVIS & GILBERT LLP ("D&G") files this Notice of Dismissal, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, with reference to the following:

- A. On November 13, 2007, D&G filed the Complaint (the "Complaint") in this action in the Supreme Court of the State of New York, County of New York (Index No. 603759-2007) (the "State Court Action").
- B. On December 11, 2007, Defendant SAMANTHA RONSON ("Ronson") filed a Notice of Removal of the State Court Action, pursuant to 28 U.S.C. § 1441(b), thereby removing the State Court Action to this Court.
- C. Ronson has not yet filed an answer or motion for summary judgment in this action.
- D. A facsimile of this Notice may be filed with the Court as if it were an original.

Accordingly, D&G, through its counsel of record, hereby dismisses this action without prejudice, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: January 21, 2008

DAVIS & GILBERT LLP


By: _____
Martin Garbus
Attorney for Plaintiff DAVIS & GILBERT
LLP

SO ORDERED


JSDJ

1-23-08